

# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROYAL PARK INVESTMENTS SA/NV,	:	
	:	
Plaintiff,	:	Case No. 14-cv-4394-AJN-BCM
	:	
-against-	:	
	:	<b>STIPULATION AND</b>
	:	<b><u>[PROPOSED] SCHEDULING ORDER</u></b>
DEUTSCHE BANK NATIONAL TRUST	:	
COMPANY, as Trustee	:	
	:	
Defendant.	:	
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WHEREAS, on August 1, 2017, in the above-caption action (the “Action”), the Court modified the deadlines for the completion of fact discovery and other discovery. Dkt.# 434 (the “August 1, 2017 Scheduling Order”);

WHEREAS, pursuant to the August 1, 2017 Scheduling Order, all party and non-party fact discovery has been closed since the August 31, 2017 deadline for the completion of fact discovery and fact depositions;

WHEREAS, on September 28, 2018, the Court issued a “Memorandum and Order” ruling on the permissibility of sampling, in which the Court ordered the parties to “submit a proposed revised expert discovery schedule within 10 days of [that] order.” Dkt.# 646, at 31;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Royal Park Investments SA/NV (“Plaintiff”) and defendant Deutsche Bank National Trust Company, as trustee (the “Trustee”) (collectively, the “Parties,” and each individually, a “Party”), in the Action, through their undersigned counsel, as follows:

## 1. Expert Discovery

- a. Any expert reports as required by FRCP 26(a) on any issue on which the party bears the burden of proof at trial shall be served no later than **June 7, 2019**;
- b. Rebuttal Expert Reports
  - i. Any expert reports as required by FRCP 26(a) that are intended by a party to rebut or contradict expert evidence on the same subject matter shall be served no later than **February 7, 2020**, except to the extent that the subject matter of the rebuttal expert reports is, or includes, opinions responding to claims of loan-level breaches or damages, which shall be due based on the timeline set forth in paragraph 1(b)(ii);
  - ii. Any rebuttal expert reports as required by FRCP 26(a) for which the subject matter is, or includes, opinions responding to claims of loan-level breaches or damages, shall be served as follows:
    - 1) If by November 1, 2018, Plaintiff informs the Trustee that it will proceed for the remainder of the Action on no more than 2,500 loans, the rebuttal expert report shall be served no later than **February 7, 2020**;
    - 2) If by November 1, 2018, Plaintiff informs the Trustee that it will proceed for the remainder of the Action on between 2,501 and 10,000 loans, the rebuttal expert report shall be served no later than **June 5, 2020**; and
    - 3) If by November 1, 2018, Plaintiff informs the Trustee that it will proceed for the remainder of the Action on more than 10,000 loans, the rebuttal expert report shall be served no later than **September 4, 2020**.
- c. Any reply reports shall be served no later than 60 days after service of the expert reports described in paragraphs 1(b)(i) and 1(b)(ii); and
- d. All expert discovery, including depositions, shall be completed no later than 60 days after service of the last expert report described in paragraph 1(c).

## 2. Summary Judgment

- a. Motions for summary judgment and any motions to exclude an expert under FRE 702 or *Daubert* are to be filed no later than 60 days after the completion of expert discovery;
- b. Oppositions to motions for summary judgment and oppositions to motions to exclude an expert or strike all or a portion of any expert report under FRE 702 or *Daubert* are to be filed no later than 75 days after service of any motion described in paragraph 2(a); and

- c. Reply motions for summary judgment and reply motions to exclude an expert or strike all or a portion of any expert report under FRE 702 or *Daubert* are to be filed no later than 45 days after service of any opposition described in paragraph 2(b).

Dated: October 9, 2018

By: /s/ Lucas F. Olts (with permission)  
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Attorneys for Defendant Deutsche Bank  
National Trust Company, as Trustee

**SO ORDERED.**

DATED: \_\_\_\_\_

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THE HONORABLE BARBARA C. MOSES  
UNITED STATES MAGISTRATE JUDGE